

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TENNESSEE AT KNOXVILLE, TENNESSEE**

THOMAS NATALE,

Plaintiff

vs.

No: 3:08-cv-325

**REMOTE MDX, INC., ADP MANAGEMENT
CORP., JAMES DALTON and DAVID
DERRICK,**

Defendants

ORDER GRANTING TEMPORARY STAY OF PROCEEDINGS

This action is before the Court on Plaintiff's Motion for Temporary Stay (Doc. 11). Plaintiff requests that the Court temporarily stay this action to enable the parties to employ the services of an independent auditor. The purpose of the independent audit is to assist the parties in confirming the amount of principle and interest due on one or more of the promissory notes which provide the basis for Plaintiff's claim.

As this action was only recently filed, and granting Plaintiff's request might enable the parties to resolve some or all of their dispute, or at least reduce the number of issues in this litigation, the Court finds the Motion to be well taken.

The Court therefore **ORDERS** that this civil action shall be stayed through the date of January 31, 2009, so that the parties may employ the use of an independent auditor for the purposes set forth in Plaintiff's Motion. The manner by which the auditor is selected and compensated is left for the parties' determination. It is further **ORDERED** that the parties shall report to the Court by no later than February 13, 2009 and advise whether the stay is to be lifted, or if an extension of time is required to enable the parties to accomplish their purposes.

IT IS SO ORDERED.

Thomas H. Phillips

UNITED STATES DISTRICT COURT JUDGE

APPROVED FOR ENTRY:

/s/ John M. Lawhorn

John M. Lawhorn (BPR No: 14388)

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Attorney for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served this 26th day of November, 2008, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination, or by special overnight courier; if the foregoing document has been electronically filed with the Court, this service has been made only upon counsel or parties to whom the Court does not furnish electronic copies of filings.

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/s/ John M. Lawhorn

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